

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:10CV292-MOC-DSC**

ARLESTER EL JONES,)	
)	
Plaintiff,)	
)	
vs.)	<u>ORDER</u>
)	
DOLE FOOD COMPANY, INC., et. al.,)	
)	
Defendants.)	
)	
)	

THIS MATTER is before the Court on pro se Plaintiff's "Motion to Deem Admitted Plaintiff's First Set of Admissions ..." (document #40) and "Motion to Modify Case Management Order and Motion to Compel Discovery" (document #41) and the parties' associated briefs and exhibits. See documents ## 49-51.

In their briefs, Defendants demonstrate that their responses to Plaintiff's Requests for Admissions were timely served upon Plaintiff. Accordingly, Plaintiff's "Motion to Deem Admitted Plaintiff's First Set of Admissions ..." (document #40) is denied.

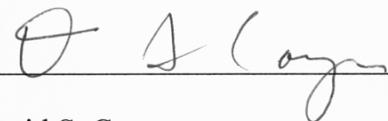
In his "Motion to Modify Case Management Order and Motion to Compel Discovery" (document #41), Plaintiff seeks leave of Court to propound 440 interrogatories (including sub-parts) to Defendants. The Pretrial Order and Case Management Plan ("PTO") limits each party to propounding "no more than 20 interrogatories, including sub-parts." Document #15. Plaintiff has made no showing to support such a drastic expansion of the discovery limits in this matter. Accordingly, for this and the other reasons stated in Defendants' briefs, Plaintiff's Motion is denied.

NOW THEREFORE, IT IS ORDERED:

1. Plaintiff's "Motion to Deem Admitted Plaintiff's First Set of Admissions ..." (document #40) and "Motion to Modify Case Management Order and Motion to Compel Discovery" (document #41) are **DENIED**.
2. The Clerk is directed to send copies of this Order to the pro se Plaintiff; to defense counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: May 10, 2011



David S. Cayer
United States Magistrate Judge

